

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

DONNA STURKIN

PLAINTIFF

v.

CIVIL ACTION NO. 3:16-cv-434-CWR-FKB

VICKY PATRICK,
MARCUS D. ELLIS JR.,
LEAKE COUNTY, MISSISSIPPI,
SCOTT COUNTY, MISSISSIPPI,
NESHOPA COUNTY, MISSISSIPPI,
NEWTON COUNTY, MISSISSIPPI,
JOHN DOES 1-5

DEFENDANTS

MOTION TO DISMISS CERTAIN DEFENDANTS

Pursuant to Rule 41, Federal Rules of Civil Procedure, Plaintiff Donna Sturkin moves this Court for an Order allowing her to dismiss with prejudice her claims against Defendants Scott County, Mississippi, Neshoba County, Mississippi, and Newton County, Mississippi. Plaintiff will proceed against the remaining Defendants. In support of this Motion, Plaintiff states as follows:

1. This Motion is **unopposed**. Plaintiff would specifically note that all counsel of record have agreed to the dismissal of the three Defendants in question *except that* counsel for Defendant Patrick (who has a motion to withdraw pending) has concluded that he should neither agree with nor oppose the Motion.

2. Defendant Patrick has not asserted any cross-claims against the three Defendants in question. As a result, her interests will be unaffected if Plaintiff is allowed to dismiss her claims against those three Defendants.

3. Due to the simple nature of this Motion, Plaintiff asks that she be relieved of the obligation to file a supporting Memorandum Brief.

WHEREFORE, Plaintiff Donna Sturkin requests that this Court enter an Order dismissing her claims against Defendant Scott County, Mississippi, Defendant Neshoba County, Mississippi, and Defendant Newton County, Mississippi, with prejudice, with Plaintiff claims against the remaining Defendants to proceed.

Respectfully submitted, this the 14th day of April, 2017.

DONNA STURKIN

/s/ S. Craig Panter
S. Craig Panter

s/ Ronald E. Stutzman
Ronald E. Stutzman

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CERTIFICATE OF SERVICE

I, S. Craig Panter, do hereby certify that I have this day filed the foregoing document with the Clerk of Court using the ECF system which will provide electronic notification of such filing to all counsel of record.

So certified, this the 14th day of April, 2017.

/s/ S. Craig Panter
S. Craig Panter